



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB3673

by Rep. Monique D. Davis

SYNOPSIS AS INTRODUCED:

20 ILCS 2605/2605-481 new
20 ILCS 2605/2605-575
50 ILCS 722/10
230 ILCS 40/15.1 new

Amends the Department of State Police Law of the Civil Administrative Code of Illinois. Provides that the Department of State Police shall develop a coordinated program for a statewide emergency alert system when a developmentally disabled adult is missing or kidnapped. Provides that the system shall include, but is not limited to, the use in coordination with the Illinois Department of Transportation, of electronic message signs on roads and highways in the vicinity of a developmentally disabled adult abduction to immediately provide critical information to the public. Provides that the Department of State Police shall establish a Developmentally Disabled Adult Plan Task Force to monitor and review the implementation and operation of the system. Provides that the Department of State Police, in coordination with the Illinois Emergency Management Agency, shall develop and implement a community outreach program to promote awareness among the State's guardians of developmentally disabled adults of developmentally disabled adult abduction prevention and response. Provides that the Department shall appoint a Developmentally Disabled Adult Safety Coordinator to assist in the establishment of State standards for developmentally disabled adult safety from kidnap and abduction and to advocate for the achievement of those standards. Amends the Missing Persons Identification Act and the Video Gaming Act to make conforming changes. Effective immediately.

LRB098 13098 RLC 47612 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning developmentally disabled adults.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Department of State Police Law of the Civil
5 Administrative Code of Illinois is amended by changing Section
6 2605-575 and adding Section 2605-481 as follows:

7 (20 ILCS 2605/2605-481 new)

8 Sec. 2605-481. Statewide developmentally disabled adult
9 kidnapping alert and prevention program; Developmentally
10 Disabled Adult Safety Coordinator.

11 (a) For purposes of this Section, "developmentally
12 disabled adult" means a person at least 18 years of age who has
13 a developmental disability as defined in Section 1-106 of the
14 Mental Health and Developmental Disabilities Code.

15 (b) The Department of State Police shall develop a
16 coordinated program for a statewide emergency alert system when
17 a developmentally disabled adult is missing or kidnapped. The
18 system shall include, but is not limited to, the use in
19 coordination with the Illinois Department of Transportation,
20 of electronic message signs on roads and highways in the
21 vicinity of a developmentally disabled adult abduction to
22 immediately provide critical information to the public.

23 (c) The Department of State Police shall establish a

1 Developmentally Disabled Adult Plan Task Force to monitor and
2 review the implementation and operation of the system developed
3 under subsection (b), including procedures, budgetary
4 requirements, and response protocols. The Task Force shall also
5 develop additional network resources for use in the system.

6 (d) The Department of State Police, in coordination with
7 the Illinois Emergency Management Agency, shall develop and
8 implement a community outreach program to promote awareness
9 among the State's guardians of developmentally disabled adults
10 of developmentally disabled adult abduction prevention and
11 response.

12 (e) The Department shall appoint a Developmentally
13 Disabled Adult Safety Coordinator to assist in the
14 establishment of State standards for developmentally disabled
15 adult safety from kidnap and abduction and to advocate for the
16 achievement of those standards. The Developmentally Disabled
17 Adult Safety Coordinator shall have the qualifications and
18 experience that the Department shall require by rule. The
19 Developmentally Disabled Adult Safety Coordinator shall
20 receive no compensation but shall be reimbursed for his or her
21 expenses from the Department's operations budget. No funds
22 shall be appropriated solely for the expenses of the
23 Developmentally Disabled Adult Safety Coordinator. The
24 Department shall provide technical assistance for the
25 Developmentally Disabled Adult Safety Coordinator from its
26 existing resources.

1 (20 ILCS 2605/2605-575)

2 Sec. 2605-575. Children's and developmentally disabled
3 adult fingerprints. With the written permission of the child's
4 parent or guardian or the guardian of a developmentally
5 disabled adult, the Department may retain the fingerprint
6 record of a child or developmentally disabled adult
7 fingerprinted by the Department at any location of collection,
8 such as a State fair, county fair, or other place the
9 Department collects such data. The record may be retained and
10 used only if the child or developmentally disabled adult is
11 later missing or abducted, if an Amber Alert or Developmentally
12 Disabled Adult Alert is issued for that child or
13 developmentally disabled adult, or if a missing person report
14 is filed for that child or developmentally disabled adult with
15 one or more local law enforcement agencies, and for no other
16 purpose. In the case of a child, after ~~After~~ the child reaches
17 the age of 18, the record must be destroyed unless the
18 Department, within a reasonable period after the fingerprinted
19 person's 18th birthday, obtains the permission of the
20 fingerprinted person to retain the fingerprint record.

21 (Source: P.A. 94-481, eff. 1-1-06.)

22 Section 10. The Missing Persons Identification Act is
23 amended by changing Section 10 as follows:

1 (50 ILCS 722/10)

2 Sec. 10. Law enforcement analysis and reporting of missing
3 person information.

4 (a) Prompt determination of high-risk missing person.

5 (1) Definition. "High-risk missing person" means a
6 person whose whereabouts are not currently known and whose
7 circumstances indicate that the person may be at risk of
8 injury or death. The circumstances that indicate that a
9 person is a high-risk missing person include, but are not
10 limited to, any of the following:

11 (A) the person is missing as a result of a stranger
12 abduction;

13 (B) the person is missing under suspicious
14 circumstances;

15 (C) the person is missing under unknown
16 circumstances;

17 (D) the person is missing under known dangerous
18 circumstances;

19 (E) the person is missing more than 30 days;

20 (F) the person has already been designated as a
21 high-risk missing person by another law enforcement
22 agency;

23 (G) there is evidence that the person is at risk
24 because:

25 (i) the person is in need of medical attention,
26 including but not limited to persons with

1 dementia-like symptoms, or prescription
2 medication;

3 (ii) the person does not have a pattern of
4 running away or disappearing;

5 (iii) the person may have been abducted by a
6 non-custodial parent;

7 (iv) the person is mentally impaired;

8 (v) the person is under the age of 21;

9 (vi) the person has been the subject of past
10 threats or acts of violence;

11 (vii) the person has eloped from a nursing
12 home; or

13 (H) any other factor that may, in the judgment of
14 the law enforcement official, indicate that the
15 missing person may be at risk.

16 (2) Law enforcement risk assessment.

17 (A) Upon initial receipt of a missing person
18 report, the law enforcement agency shall immediately
19 determine whether there is a basis to determine that
20 the missing person is a high-risk missing person.

21 (B) If a law enforcement agency has previously
22 determined that a missing person is not a high-risk
23 missing person, but obtains new information, it shall
24 immediately determine whether the information
25 indicates that the missing person is a high-risk
26 missing person.

1 (C) Law enforcement agencies are encouraged to
2 establish written protocols for the handling of
3 missing person cases to accomplish the purposes of this
4 Act.

5 (3) Law enforcement agency reports.

6 (A) The responding local law enforcement agency
7 shall immediately enter all collected information
8 relating to the missing person case in the Law
9 Enforcement Agencies Data System (LEADS) and the
10 National Crime Information Center (NCIC) databases.
11 The information shall be provided in accordance with
12 applicable guidelines relating to the databases. The
13 information shall be entered as follows:

14 (i) All appropriate DNA profiles, as
15 determined by the Department of State Police,
16 shall be uploaded into the missing person
17 databases of the State DNA Index System (SDIS) and
18 National DNA Index System (NDIS) after completion
19 of the DNA analysis and other procedures required
20 for database entry.

21 (ii) Information relevant to the Federal
22 Bureau of Investigation's Violent Criminal
23 Apprehension Program shall be entered as soon as
24 possible.

25 (iii) The Department of State Police shall
26 ensure that persons entering data relating to

1 medical or dental records in State or federal
2 databases are specifically trained to understand
3 and correctly enter the information sought by
4 these databases. The Department of State Police
5 shall either use a person with specific expertise
6 in medical or dental records for this purpose or
7 consult with a chief medical examiner, forensic
8 anthropologist, or odontologist to ensure the
9 accuracy and completeness of information entered
10 into the State and federal databases.

11 (B) The Department of State Police shall
12 immediately notify all law enforcement agencies within
13 this State and the surrounding region of the
14 information that will aid in the prompt location and
15 safe return of the high-risk missing person.

16 (C) The local law enforcement agencies that
17 receive the notification from the Department of State
18 Police shall notify officers to be on the lookout for
19 the missing person or a suspected abductor.

20 (D) Pursuant to any applicable State criteria,
21 local law enforcement agencies shall also provide for
22 the prompt use of an Amber Alert in cases involving
23 abducted children; use of a Developmentally Disabled
24 Adult Alert in cases involving abducted
25 developmentally disabled adults; or use of the
26 Endangered Missing Person Advisory in appropriate high

1 risk cases.

2 (Source: P.A. 95-192, eff. 8-16-07; 96-149, eff. 1-1-10.)

3 Section 15. The Video Gaming Act is amended by adding
4 Section 15.1 as follows:

5 (230 ILCS 40/15.1 new)

6 Sec. 15.1. Developmentally Disabled Adult Alert. The
7 Board, in its discretion, may require video gaming terminals to
8 display Developmentally Disabled Adult Alert messages if the
9 Board makes a finding that it would be economically and
10 technically feasible and pose no risk to the integrity and
11 security of the central communications system and video gaming
12 terminals.

13 Section 99. Effective date. This Act takes effect upon
14 becoming law.